

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

ROBERT SCHELSKE, *et al.*,

Plaintiffs,

v.

LLOYD J. AUSTIN, III,
United States Secretary of Defense, *et al.*,

Defendants.

No. 6:22-cv-0049-H

**JOINT MOTION FOR AN EXTENSION OF TIME TO SUBMIT
JOINT SUPPLEMENTAL NOTICE**

The parties respectfully request that the Court extend their deadline to respond to the Court's Order directing submission of a joint supplemental notice, ECF No. 115, for 7 days until July 14, 2023. The parties have conferred and agree to the requested relief. There is good cause to grant this motion.

1. The Court's order directs the parties to provide various specific information related to all ten of the named Plaintiffs. ECF No. 115. The parties anticipate that based on the nature and scope of the requested information, while Plaintiffs can provide such information to their counsel directly to the extent they have knowledge of same, responsive information on behalf of Defendants will be maintained in different forms and by different entities.

2. Both parties are in the process of collecting responsive information. The parties anticipate that unavailability related to the intervening July 4th holiday, including a day of no scheduled activities for Army uniformed personnel on July 3rd, will impede the ability of the parties to collect all of the requested information by July 7, 2023.

3. Additionally, the parties believe that at least some responsive facts will be undisputed. A modest extension will provide the parties with an opportunity to fully determine

what the agreed-upon facts are in order to more efficiently query Army entities that possess required information, and to have the opportunity to meet and confer on areas of disagreement.

4. No party has previously sought an extension of this deadline.

For the foregoing reasons, the parties respectfully request that the Court extend the time to submit the joint supplemental notice by 7 days to July 14, 2023.

* * *

Dated: June 30, 2023

/s/ Christopher Wiest
CHRISTOPHER WIEST
Chris Wiest, Attorney at Law, PLLC
25 Town Center Blvd, Ste. 104
Crestview Hills, KY 41017
513-257-1895
chris@cwiestlaw.com
Counsel for Plaintiffs

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

ALEXANDER K. HAAS
Branch Director

JOSHUA GARDNER
Special Counsel

/s/ Keri L. Berman
KERI L. BERMAN
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW, Rm. 11206
Washington, D.C. 20530
Tel.: (202) 514-3183 / Fax: (202) 305-7538
Email: keri.l.berman@usdoj.gov

Counsel for Defendants

Certificate of Conference

I have conferred with counsel for Plaintiffs about the relief requested herein. Plaintiffs' counsel, Christopher Wiest, informed me that Plaintiffs consent to the request to extend the deadline to submit the Joint Supplemental Notice by 7 days, to July 14, 2023.

Dated: June 30, 2023

/s/ Keri L. Berman
KERI L. BERMAN
Trial Attorney
United States Department of Justice

Counsel for Defendants